

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

DAVID G. RAY, et al., )  
Plaintiffs, ) 8:10CV199  
vs. ) ORDER  
TIERONE CORPORATION, et al., )  
Defendants. )

This matter is before the court on the Motion of the Valentino Group for Appointment as Lead Plaintiff and Approval of Lead Plaintiff's Selection of Counsel in Shareholder Class Action ([Filing No. 21](#)). The court has withdrawn this case's referral to the Bankruptcy Court for the District of Nebraska. The parties may now proceed on the merits in the district court. Accordingly,

**IT IS ORDERED:**

1. The Motion of the Valentino Group for Appointment as Lead Plaintiff and Approval of Lead Plaintiff's Selection of Counsel in Shareholder Class Action ([Filing No. 21](#)) is held in abeyance.
2. The non-movants shall have to **on or before October 8, 2010**, to file any response or objection to the motion of the Valentino Group.

DATED this 1st day of October, 2010.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge